

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
FIRST REGULAR SESSION
18th Legislative Day
Tuesday, March 5, 2013

The House met according to adjournment and was called to order by the Speaker.

Prayer by Deacon Dean Lachance, St. Michael Parish and the Bread of Life Ministries, Augusta.

National Anthem by Molly Luce, Hope.

Pledge of Allegiance.

Doctor of the day, Brian Kaufman, DO, FACP, Sanford.

The Journal of Thursday, February 28, 2013 was read and approved.

SENATE PAPERS

Bill "An Act To Amend the Workers' Compensation Self-insurance Laws"

(S.P. 255) (L.D. 706)

Bill "An Act Establishing Health Care Practitioner Transparency Requirements"

(S.P. 265) (L.D. 727)

Came from the Senate, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed.

REFERRED to the Committee on **INSURANCE AND FINANCIAL SERVICES** in concurrence.

Non-Concurrent Matter

Bill "An Act To Preserve and Ensure Equitable Funding of Maine's Commercial Racetracks"

(H.P. 321) (L.D. 471)

REFERRED to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** in the House on February 26, 2013.

Came from the Senate with the Bill and accompanying papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

The House voted to **RECEDE AND CONCUR**.

COMMUNICATIONS

The Following Communication: (H.C. 88)

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002**

March 4, 2013

Honorable Millicent M. MacFarland

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk MacFarland:

Pursuant to my authority under Title 5, Chapter 621, §24001 of the Maine Revised Statutes, I have appointed the following members to the Maine Children's Growth Council:

Representative Nathan L. Libby of Lewiston

Representative Heather W. Sirocki of Scarborough

If you have any questions regarding these appointments, please do not hesitate to contact me.

Sincerely,

S/Mark W. Eves

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (S.C. 108)

**MAINE SENATE
126TH LEGISLATURE
OFFICE OF THE SECRETARY**

February 28, 2013

Honorable Mark W. Eves

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Eves:

In accordance with 3 M.R.S.A. §158 and Joint Rule 506 of the 126th Maine Legislature, please be advised that the Senate today confirmed the following nominations:

Upon the recommendation of the Committee on Labor, Commerce, Research and Economic Development, the nomination of John Moncure of Harpswell for reappointment as a member of the Midcoast Regional Redevelopment Authority.

Upon the recommendation of the Committee on Labor, Commerce, Research and Economic Development, the nomination of Susan B. Snowden of Scarborough for reappointment to the Finance Authority of Maine.

Upon the recommendation of the Committee on Labor, Commerce, Research and Economic Development, the nomination of Donna L. Talarico of North Yarmouth for appointment to the Maine State Housing Authority.

Upon the recommendation of the Committee on Labor, Commerce, Research and Economic Development, the nomination of John G. Peters of Harpswell for appointment as a member of the Midcoast Regional Redevelopment Authority.

Sincerely,

S/Darek M. Grant

Secretary of the Senate

READ and ORDERED PLACED ON FILE.

**PETITIONS, BILLS AND RESOLVES REQUIRING
REFERENCE**

The following Bills, Resolves and Resolution were received, and upon the recommendation of the Committee on Reference of Bills were **REFERRED** to the following Committees, ordered printed and sent for concurrence:

AGRICULTURE, CONSERVATION AND FORESTRY

Bill "An Act To Lessen the Impact of High Feed and Fuel Costs on Maine Dairy Farmers"

(H.P. 540) (L.D. 789)

Sponsored by Representative BLACK of Wilton.

Cosponsored by Representatives: CRAY of Palmyra, DILL of Old Town, Senator JACKSON of Aroostook and Representatives: HICKMAN of Winthrop, JONES of Freedom, KUMIEGA of Deer Isle, MAREAN of Hollis, NOON of Sanford, SAUCIER of Presque Isle, TIMBERLAKE of Turner, Senator: SHERMAN of Aroostook.

Bill "An Act Regarding the Use of Mobile Poultry Processing Units"

(H.P. 587) (L.D. 836)

Sponsored by Representative DAUGHTRY of Brunswick.

Cosponsored by Senator JACKSON of Aroostook and Representatives: BERRY of Bowdoinham, CHENETTE of Saco, HARVELL of Farmington, HICKMAN of Winthrop, JONES of Freedom, KAENRATH of South Portland, KUMIEGA of Deer Isle, PLANTE of Berwick.

Bill "An Act To Clarify the Laws Establishing the Department of Agriculture, Conservation and Forestry" (EMERGENCY)

(H.P. 588) (L.D. 837)

Sponsored by Representative FREDETTE of Newport.

Cosponsored by Senator: THIBODEAU of Waldo.
Submitted by the Department of Agriculture, Conservation and Forestry pursuant to Joint Rule 204.

Resolve, To Establish a Working Group To Study Issues Relating to Liability of Apiary Owners and Operators
(H.P. 589) (L.D. 838)

Sponsored by Representative BLACK of Wilton.
Cosponsored by Senator PATRICK of Oxford and Representatives: CRAY of Palmyra, DILL of Old Town, GIFFORD of Lincoln, JONES of Freedom, KUMIEGA of Deer Isle, NOON of Sanford, PETERSON of Rumford, TIMBERLAKE of Turner.

APPROPRIATIONS AND FINANCIAL AFFAIRS

Bill "An Act To Repeal the Bonding Authority of the Maine Governmental Facilities Authority"

(H.P. 541) (L.D. 790)

Sponsored by Representative SIROCKI of Scarborough.
Cosponsored by Representatives: ESPLING of New Gloucester, LOCKMAN of Amherst, NEWENDYKE of Litchfield, PARRY of Arundel, REED of Carmel, SANDERSON of Chelsea, WILLETTE of Mapleton.

CRIMINAL JUSTICE AND PUBLIC SAFETY

Bill "An Act Regarding Fire Escapes for Certain Buildings"

(H.P. 571) (L.D. 820)

Sponsored by Representative LAJOIE of Lewiston.
Cosponsored by Senator DUTREMBLE of York and Representatives: BRIGGS of Mexico, LIBBY of Lewiston, PEASE of Morrill, TYLER of Windham, WERTS of Auburn.

Bill "An Act To Amend the Laws Governing the Licensing of Technicians Involved in a Display of Fireworks or Special Effects"
(H.P. 590) (L.D. 839)

Sponsored by Representative LAJOIE of Lewiston.
Cosponsored by Senator WHITTEMORE of Somerset and Senator: PLUMMER of Cumberland.

Submitted by the Department of Public Safety pursuant to Joint Rule 204.

Bill "An Act To Amend the Law Regulating the Use of Explosives"

(H.P. 591) (L.D. 840)

Sponsored by Representative LAJOIE of Lewiston.
Cosponsored by Senator PLUMMER of Cumberland and Senator: WHITTEMORE of Somerset.

Submitted by the Department of Public Safety pursuant to Joint Rule 204.

Bill "An Act To Prevent Offensive Touching of a Person Seeking Access to Public Facilities"

(H.P. 592) (L.D. 841)

Sponsored by Representative LIBBY of Waterboro.
Cosponsored by Representatives: CHIPMAN of Portland, DUNPHY of Embden, HARLOW of Portland, HARVELL of Farmington, RUSSELL of Portland, SANDERSON of Chelsea, SIROCKI of Scarborough, Senator: COLLINS of York.

Bill "An Act To Facilitate the Use of Electronic Monitoring To Prevent Domestic Violence"

(H.P. 593) (L.D. 842)

Sponsored by Representative FREDETTE of Newport.
Cosponsored by Senator CAIN of Penobscot and Representatives: CHASE of Wells, CLARK of Easton, KNIGHT of Livermore Falls, REED of Carmel, WEAVER of York, WILLETTE of Mapleton, Senator: LANGLEY of Hancock.

Bill "An Act To Provide Funding to the Judicial Branch to Facilitate Reporting to the National Instant Criminal Background Check System"

(H.P. 615) (L.D. 888)

Sponsored by Representative DAVIS of Sangerville.
Cosponsored by Senator THOMAS of Somerset and Representatives: AYOTTE of Caswell, LONG of Sherman, MARKS of Pittston, SHAW of Standish, WILSON of Augusta, Senator: BURNS of Washington.

EDUCATION AND CULTURAL AFFAIRS

Bill "An Act To Increase Transparency and Improve Equity in Appeals to Superintendents' Agreements"

(H.P. 542) (L.D. 791)

Sponsored by Representative DEVIN of Newcastle.
Cosponsored by Senator JOHNSON of Lincoln and Representatives: MacDONALD of Boothbay, WINCHENBACH of Waldoboro.

Bill "An Act To Ensure That Essential Programs and Services Targeted Funding Follows the Secondary Student"

(H.P. 543) (L.D. 792)

Sponsored by Representative DILL of Old Town.
Cosponsored by Senator SAVIELLO of Franklin and Representatives: CHAPMAN of Brooksville, GOODE of Bangor, KORNFELD of Bangor, SCHNECK of Bangor, TIPPING-SPITZ of Orono, TURNER of Burlington.

Bill "An Act To Allocate the Balance of Funds Not Expended by the Task Force on Franco-Americans" (EMERGENCY)

(H.P. 572) (L.D. 821)

Sponsored by Representative POULIOT of Augusta.
Cosponsored by Senator THIBODEAU of Waldo and Representatives: BECK of Waterville, FREDETTE of Newport, THERIAULT of Madawaska, Senator: MASON of Androscoggin.

Bill "An Act To Establish a Program To Invite Legislators To Visit Public School Classrooms"

(H.P. 573) (L.D. 822)

Sponsored by Representative NELSON of Falmouth.
Cosponsored by Senator MILLETT of Cumberland and Representatives: HAYES of Buckfield, KORNFELD of Bangor, MacDONALD of Boothbay, MAKER of Calais, McCLELLAN of Raymond, POULIOT of Augusta, RANKIN of Hiram, Senator: LANGLEY of Hancock.

Bill "An Act To Require Institutions of Higher Learning To Comply with the Federal Americans with Disabilities Act"

(H.P. 574) (L.D. 823)

Sponsored by Representative SANDERSON of Chelsea. (BY REQUEST)

Cosponsored by Senator MASON of Androscoggin and Representatives: DOAK of Columbia Falls, HARVELL of Farmington, POULIOT of Augusta, WEAVER of York.

Bill "An Act To Promote the Financial Literacy of High School Students"

(H.P. 594) (L.D. 843)

Sponsored by Representative POULIOT of Augusta.
Cosponsored by Senator CAIN of Penobscot and Representatives: BECK of Waterville, BENNETT of Kennebunk, BLACK of Wilton, BOLAND of Sanford, CHASE of Wells, CHENETTE of Saco, CHIPMAN of Portland, COTTA of China, CRAFTS of Lisbon, CRAY of Palmyra, CROCKETT of Bethel, DAUGHTRY of Brunswick, DAVIS of Sangerville, DILL of Old Town, Speaker EVES of North Berwick, FITZPATRICK of Houlton, FREDETTE of Newport, GIFFORD of Lincoln, GOODE of Bangor, GRANT of Gardiner, GUERIN of Glenburn, HAMANN of South Portland, HARVELL of Farmington, HICKMAN of

Winthrop, HUBBELL of Bar Harbor, JOHNSON of Greenville, KAENRATH of South Portland, KESCHL of Belgrade, KINNEY of Limington, KNIGHT of Livermore Falls, LIBBY of Lewiston, MacDonald of Boothbay, MAKER of Calais, MAREAN of Hollis, McCABE of Skowhegan, McCLELLAN of Raymond, McLEAN of Gorham, NELSON of Falmouth, NEWENDYKE of Litchfield, PARRY of Arundel, PEASE of Morrill, PLANTE of Berwick, RANKIN of Hiram, SANDERSON of Chelsea, SIROCKI of Scarborough, STUCKEY of Portland, TIMBERLAKE of Turner, TIPPING-SPITZ of Orono, VOLK of Scarborough, WILLETTE of Mapleton, WILSON of Augusta, WINCHENBACH of Waldoboro, Senators: GOODALL of Sagadahoc, JOHNSON of Lincoln, KATZ of Kennebec, LANGLEY of Hancock, MASON of Androscoggin, MILLETT of Cumberland, THIBODEAU of Waldo.

Bill "An Act To Adjust Funding Forwarded from School Districts to Charter Schools"

(H.P. 616) (L.D. 889)

Sponsored by Representative BENNETT of Kennebunk. (BY REQUEST)

ENERGY, UTILITIES AND TECHNOLOGY

Bill "An Act To Amend the Net Energy Billing Program To Allow Participation by Certain Municipal Entities"

(H.P. 546) (L.D. 795)

Sponsored by Representative LONGSTAFF of Waterville. Cosponsored by Senator LACHOWICZ of Kennebec and Representatives: BECK of Waterville, FOWLE of Vassalboro, KUSIAK of Fairfield, NADEAU of Winslow.

Resolve, To Enhance Economic Development by Encouraging Businesses Adjacent to Electric Power Generators To Obtain Power Directly

(H.P. 547) (L.D. 796)

Sponsored by Representative CAMPBELL of Orrington. Cosponsored by Senator TUTTLE of York and Representative: JOHNSON of Eddington, Senator: JACKSON of Aroostook.

Bill "An Act To Eliminate the Opt-out Charges for Smart Meters"

(H.P. 577) (L.D. 826)

Sponsored by Representative BEAVERS of South Berwick. Cosponsored by Senator JACKSON of Aroostook and Representatives: BOLAND of Sanford, DUNPHY of Embden, HARVELL of Farmington, McGOWAN of York, NEWENDYKE of Litchfield, RUSSELL of Portland, RYKERSON of Kittery, Senator: SAVIELLO of Franklin.

Bill "An Act To Increase Access to Natural Gas"

(H.P. 578) (L.D. 827)

Sponsored by Representative DUNPHY of Embden. Cosponsored by Senator WHITTEMORE of Somerset and Representatives: CROCKETT of Bethel, DAVIS of Sangerville, DORNEY of Norridgewock, HARVELL of Farmington, LONG of Sherman, LONGSTAFF of Waterville, McCLELLAN of Raymond, NADEAU of Winslow.

Bill "An Act To Strengthen Basic Telephone Service"

(H.P. 548) (L.D. 797)

Sponsored by Representative DAUGHTRY of Brunswick. Cosponsored by Representatives: BERRY of Bowdoinham, BROOKS of Winterport, PEOPLES of Westbrook, THERIAULT of Madawaska, TREAT of Hallowell, WERTS of Auburn.

Committee on **ENERGY, UTILITIES AND TECHNOLOGY** suggested.

On motion of Representative HOBBS of Saco, **TABLED** pending **REFERENCE** and later today assigned.

ENVIRONMENT AND NATURAL RESOURCES

Bill "An Act Clarifying the Department of Environmental Protection's Authority Relating to Compensation for Development Activity under the Natural Resources Protection Act"

(H.P. 544) (L.D. 793)

Sponsored by Representative CAMPBELL of Orrington. Cosponsored by Representatives: JOHNSON of Eddington, VEROW of Brewer, Senator: YOUNGBLOOD of Penobscot.

Bill "An Act To Amend Setback Requirements and Standards Related to Species Migration under the Laws Regulating Development near Vernal Pools"

(H.P. 545) (L.D. 794)

Sponsored by Representative CAMPBELL of Orrington. Cosponsored by Senator BOYLE of Cumberland and Representatives: HOBBS of Saco, JOHNSON of Eddington, MALABY of Hancock, Senators: JACKSON of Aroostook, TUTTLE of York.

Resolve, Directing the Department of Environmental Protection To Develop a Rural Land Use Development Process

(H.P. 575) (L.D. 824)

Sponsored by Representative CAMPBELL of Newfield. (BY REQUEST)

Cosponsored by Senator COLLINS of York and Representatives: BEAVERS of South Berwick, DUPREY of Hampden, MASTRACCIO of Sanford, VOLK of Scarborough, WINCHENBACH of Waldoboro.

Resolve, To Study Climate Change and Implement the Recommendations of the Department of Environmental Protection Report on Climate Change

(H.P. 576) (L.D. 825)

Sponsored by Representative NOON of Sanford. Cosponsored by Senator GRATWICK of Penobscot and Representatives: CAMPBELL of Newfield, CHENETTE of Saco, DORNEY of Norridgewock, GRANT of Gardiner, HUBBELL of Bar Harbor, MASTRACCIO of Sanford, McGOWAN of York, PLANTE of Berwick.

Resolve, To Require a Study of the Availability of Food Packaging without Bisphenol A

(H.P. 595) (L.D. 844)

Sponsored by Representative GIDEON of Freeport. Cosponsored by Senator CLEVELAND of Androscoggin and Representatives: DeCHANT of Bath, GUERIN of Glenburn, HICKMAN of Winthrop, McLEAN of Gorham, MOONEN of Portland, PLANTE of Berwick, TIPPING-SPITZ of Orono.

Bill "An Act To Change the Classification of the Lower Androscoggin River"

(H.P. 596) (L.D. 845)

Sponsored by Representative DAUGHTRY of Brunswick.

HEALTH AND HUMAN SERVICES

Resolve, To Extend the Deadline for the Department of Health and Human Services To Submit a Report on Persons with Intellectual Disabilities or Autism (EMERGENCY)

(H.P. 552) (L.D. 801)

Sponsored by Representative FARNSWORTH of Portland. Cosponsored by Senator CRAVEN of Androscoggin and Representatives: GATTINE of Westbrook, SANDERSON of Chelsea, Senator: HAMPER of Oxford.

Bill "An Act To Encourage Alternative Forms of Treatment for Opiate or Opioid Addiction by Prohibiting MaineCare Coverage for Medication-assisted Treatment for Addiction"

(H.P. 553) (L.D. 802)

Sponsored by Representative LOCKMAN of Amherst.

Cosponsored by Senator THOMAS of Somerset and Representatives: CHASE of Wells, GUERIN of Glenburn, MALABY of Hancock, NEWENDYKE of Litchfield, SIROCKI of Scarborough, TURNER of Burlington, VOLK of Scarborough, Senator: MASON of Androscoggin.

Bill "An Act Regarding Certain Aspects of Infant Care in Child Care Facilities"

(H.P. 554) (L.D. 803)

Sponsored by Representative MOONEN of Portland.

Cosponsored by President ALFOND of Cumberland and Representatives: DORNEY of Norridgewock, FARNSWORTH of Portland, McGOWAN of York, NOON of Sanford.

Bill "An Act To Improve Preventive Dental Health Care and Reduce Costs in the MaineCare Program"

(H.P. 555) (L.D. 804)

Sponsored by Representative CAREY of Lewiston.

Cosponsored by Senator LACHOWICZ of Kennebec and Representatives: FARNSWORTH of Portland, ROCHELO of Biddeford, ROTUNDO of Lewiston, Senator: CRAVEN of Androscoggin.

Bill "An Act To Improve the Administration of the Child Care Subsidy Program and To Prevent Erroneous Termination of Child Care Services"

(H.P. 579) (L.D. 828)

Sponsored by Representative GATTINE of Westbrook.

Cosponsored by Representatives: CASSIDY of Lubec, FARNSWORTH of Portland, GRAHAM of North Yarmouth.

Resolve, To Complete the Timely and Appropriate Redesign of Shared Living Services for Adults with Intellectual Disabilities or Autism (EMERGENCY)

(H.P. 580) (L.D. 829)

Sponsored by Representative STUCKEY of Portland.

Cosponsored by Representative: SANBORN of Gorham.

Bill "An Act To Improve and Modernize the Authority of Local Health Officers"

(H.P. 597) (L.D. 846)

Sponsored by Representative COOPER of Yarmouth.

Resolve, To Address Changes Needed for Providers of Private Nonmedical Institution Services

(H.P. 598) (L.D. 847)

Sponsored by Representative FARNSWORTH of Portland.

Cosponsored by Senator LACHOWICZ of Kennebec and Representatives: BROOKS of Winterport, DORNEY of Norridgewock, GIDEON of Freeport, PRINGLE of Windham, SANBORN of Gorham, STUCKEY of Portland.

Bill "An Act To Require Notice to and Input from Municipalities in Which Certain Group Homes Are Located"

(H.P. 556) (L.D. 805)

Sponsored by Representative WILSON of Augusta.

Cosponsored by Senator KATZ of Kennebec and Representative: POULIOT of Augusta.

Committee on **HEALTH AND HUMAN SERVICES** suggested.

On motion of Representative FARNSWORTH of Portland, **TABLED** pending **REFERENCE** and later today assigned.

INLAND FISHERIES AND WILDLIFE

Bill "An Act To Permit Night Hunting of Coyotes on Sunday"

(H.P. 549) (L.D. 798)

Sponsored by Representative ESPLING of New Gloucester. (BY REQUEST)

Resolve, To Allow Use of Live Bait for Fishing in the Allagash Wilderness Waterway and Fish River Waterway

(H.P. 550) (L.D. 799)

Sponsored by Representative BROOKS of Winterport.

Cosponsored by Senator TUTTLE of York and Representatives: FARNSWORTH of Portland, GATTINE of Westbrook, VEROW of Brewer.

Bill "An Act To Expand Migratory Waterfowl Hunting Opportunities"

(H.P. 551) (L.D. 800)

Sponsored by Representative PARRY of Arundel.

Cosponsored by Senator DUTREMBLE of York and Representatives: BENNETT of Kennebunk, DICKERSON of Rockland, HARVELL of Farmington, POULIOT of Augusta, Senator: SAVIELLO of Franklin.

INSURANCE AND FINANCIAL SERVICES

Bill "An Act To Allow the Purchase of Workers' Compensation Insurance Coverage for Domestic Employees from an Insurance Company That Provides Liability Insurance for Homeowners or Tenants"

(H.P. 557) (L.D. 806)

Sponsored by Representative SANDERSON of Chelsea.

Cosponsored by Senator MASON of Androscoggin and Representatives: DOAK of Columbia Falls, HARVELL of Farmington, PARRY of Arundel, POULIOT of Augusta, WEAVER of York.

Bill "An Act To Create an Open Enrollment Period Consistent with Federal Regulations for Health Insurance Exchanges"

(H.P. 563) (L.D. 812)

Sponsored by Representative BECK of Waterville.

Cosponsored by Senator LACHOWICZ of Kennebec and Representatives: FITZPATRICK of Houlton, McCABE of Skowhegan, McLEAN of Gorham, Senator: WHITTEMORE of Somerset.

Bill "An Act To Clarify the Right To Name a 3rd Party To Receive Notification of Policy Cancellation"

(H.P. 599) (L.D. 848)

Sponsored by Representative HOBBS of Saco.

Cosponsored by Representatives: CAMPBELL of Orrington, MORRISON of South Portland, Senator: HASKELL of Cumberland.

JUDICIARY

Bill "An Act To Further Protect Pregnant Women under the Maine Human Rights Act"

(H.P. 581) (L.D. 830)

Sponsored by Representative DORNEY of Norridgewock.

Cosponsored by Senator LACHOWICZ of Kennebec and Representatives: MASON of Topsham, PRINGLE of Windham.

Bill "An Act To Validate Certain Real Estate Transactions Entered into by a Corporation while Its Charter Was Suspended"

(H.P. 600) (L.D. 849)

Sponsored by Representative HUBBELL of Bar Harbor.

Cosponsored by Senator LANGLEY of Hancock.

Resolve, To Study the Issue of Inheritance of Digital Assets

(H.P. 601) (L.D. 850)

Sponsored by Representative PRIEST of Brunswick.

Cosponsored by Senator VALENTINO of York and Representatives: BEAULIEU of Auburn, CROCKETT of Bethel, GUERIN of Glenburn, MONAGHAN-DERRIG of Cape Elizabeth, MOONEN of Portland, MORIARTY of Cumberland, VILLA of Harrison.

Bill "An Act To Require the Return of Excess Funds by a Municipality That Forecloses on Real Estate"

(H.P. 602) (L.D. 851)

Sponsored by Representative DICKERSON of Rockland.

Cosponsored by Senator MAZUREK of Knox and Representatives: CASAVANT of Biddeford, CHIPMAN of Portland, GOODE of Bangor, KUMIEGA of Deer Isle, MASTRACCIO of Sanford, VILLA of Harrison.

Bill "An Act To Amend Certain Provisions of Law Affecting the Judicial Branch"

(H.P. 603) (L.D. 852)

Sponsored by Representative PRIEST of Brunswick.

Cosponsored by Senator VALENTINO of York and Representatives: BEAULIEU of Auburn, CROCKETT of Bethel, FREDETTE of Newport, MONAGHAN-DERRIG of Cape Elizabeth, MORIARTY of Cumberland, Senators: BURNS of Washington, KATZ of Kennebec.

Submitted by the Judicial Department pursuant to Joint Rule 204.

LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

Bill "An Act To Amend the Laws Concerning Metal Dealers"

(H.P. 559) (L.D. 808)

Sponsored by Representative LONGSTAFF of Waterville.

Cosponsored by Representative ESPLING of New Gloucester, Senator KATZ of Kennebec and Representatives: BECK of Waterville, GATTINE of Westbrook, MITCHELL of the Penobscot Nation, NUTTING of Oakland, Senator: MASON of Androscoggin.

Bill "An Act To Create a License for Metal Dealers"

(H.P. 560) (L.D. 809)

Sponsored by Representative LONGSTAFF of Waterville.

Cosponsored by Representative ESPLING of New Gloucester, Senator MASON of Androscoggin and Representatives: BECK of Waterville, GATTINE of Westbrook, MITCHELL of the Penobscot Nation, NUTTING of Oakland, Senator: KATZ of Kennebec.

Bill "An Act To Prohibit Mandatory Membership in a Union or Payment of Agency Fees as a Condition of Employment"

(H.P. 582) (L.D. 831)

Sponsored by Representative LOCKMAN of Amherst.

Cosponsored by Senator THOMAS of Somerset and Representatives: CHASE of Wells, DAVIS of Sangerville, GIFFORD of Lincoln, KESCHL of Belgrade, KINNEY of Limington, MALABY of Hancock, SIROCKI of Scarborough, Senator: THIBODEAU of Waldo.

Resolve, Requiring the Department of Labor To Establish a Fund To Assist Unemployed Individuals Lacking Transportation to Job Interviews

(H.P. 604) (L.D. 853)

Sponsored by Representative BEAVERS of South Berwick.

Cosponsored by Senator PATRICK of Oxford and Representatives: BERRY of Bowdoinham, CAMPBELL of Newfield, GILBERT of Jay, MORRISON of South Portland, WINCHENBACH of Waldoboro, Senator: SAVIELLO of Franklin.

Bill "An Act To Provide Protection to a Condominium Association When a Condominium Is Foreclosed On"

(H.P. 558) (L.D. 807)

Sponsored by Representative CROCKETT of Bethel.

Cosponsored by Senator PATRICK of Oxford.

Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** suggested.

On motion of Representative HERBIG of Belfast, **TABLED** pending **REFERENCE** and later today assigned.

Bill "An Act To Clarify When a Manufactured Home Becomes Residential Real Property"

(H.P. 605) (L.D. 854)

Sponsored by Representative PRIEST of Brunswick.

Cosponsored by Representatives: BEAULIEU of Auburn, CROCKETT of Bethel, GUERIN of Glenburn, MONAGHAN-DERRIG of Cape Elizabeth, Senator: GERZOFKY of Cumberland.

Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** suggested.

On motion of Representative HERBIG of Belfast, **TABLED** pending **REFERENCE** and later today assigned.

MARINE RESOURCES

Resolve, To Amend the Lobster Trap Tag System Rules for Certain Zones

(H.P. 561) (L.D. 810)

Sponsored by Representative CASAVANT of Biddeford.

Cosponsored by Senator COLLINS of York and Representatives: BENNETT of Kennebunk, CHENETTE of Saco, PARRY of Arundel, ROCHELO of Biddeford, Senator: DUTREMBLE of York.

Bill "An Act To Provide Guidance for the Development of Marine Fisheries Management Plans"

(H.P. 562) (L.D. 811)

Sponsored by Representative DEVIN of Newcastle.

Cosponsored by Senator WOODBURY of Cumberland and Representative: KRUGER of Thomaston.

Submitted by the Department of Marine Resources pursuant to Joint Rule 204.

Bill "An Act To Enable Small-scale Cooperative Management of Sea Urchin Resources"

(H.P. 583) (L.D. 832)

Sponsored by Representative DEVIN of Newcastle.

Cosponsored by Senator LANGLEY of Hancock and Representatives: DICKERSON of Rockland, DOAK of Columbia Falls, EVANGELOS of Friendship, KUMIEGA of Deer Isle, RUSSELL of Portland.

STATE AND LOCAL GOVERNMENT

Bill "An Act To Promote the Sale of Maine Milk"

(H.P. 564) (L.D. 813)

Sponsored by Representative BROOKS of Winterport.

Cosponsored by Senator JACKSON of Aroostook and Representatives: BEAR of the Houlton Band of Maliseet Indians, EVANGELOS of Friendship, JONES of Freedom, MORRISON of South Portland, NADEAU of Winslow, PEASE of Morrill, Senators: CAIN of Penobscot, THIBODEAU of Waldo.

Bill "An Act To Clarify the Request for Proposal Process"

(H.P. 565) (L.D. 814)

Sponsored by Representative SIROCKI of Scarborough.

Cosponsored by Representatives: PARRY of Arundel, SANDERSON of Chelsea, VOLK of Scarborough.

Bill "An Act To Allow Municipalities To Place Liens for Failure To Pay Storm Water Assessments"

(H.P. 584) (L.D. 833)

Sponsored by Representative MOONEN of Portland. (BY REQUEST)

Cosponsored by Senator HASKELL of Cumberland and Representatives: GOODE of Bangor, KNIGHT of Livermore Falls, LIBBY of Lewiston, TIPPING-SPITZ of Orono, Senator: MILLETT of Cumberland.

Resolve, To Create a Study Group To Research the Possibility of a Virtual Legislature (EMERGENCY)

(H.P. 606) (L.D. 855)

Sponsored by Representative CASAVANT of Biddeford.

Cosponsored by Senator DUTREMBLE of York and Representatives: CHENETTE of Saco, CHIPMAN of Portland, DeCHANT of Bath, KRUGER of Thomaston, NUTTING of Oakland, PEOPLES of Westbrook, ROCHELO of Biddeford.

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require State Officers To Be Elected by a Majority of Voters

(H.P. 607) (L.D. 856)

Sponsored by Representative BROOKS of Winterport.

Cosponsored by Senator TUTTLE of York and Representatives: CHAPMAN of Brooksville, EVANGELOS of Friendship, FARNSWORTH of Portland, LIBBY of Lewiston, RUSSELL of Portland, VEROW of Brewer, Senator: HASKELL of Cumberland.

Bill "An Act To Partially Fund Tax Breaks for the Wealthy by Eliminating Certain Gubernatorial Benefits"

(H.P. 609) (L.D. 858)

Sponsored by Representative RUSSELL of Portland.

Bill "An Act To Examine Fees Charged by Municipalities Concerning Outdoor-related Activities"

(H.P. 608) (L.D. 857)

Sponsored by Representative ESPLING of New Gloucester.

Cosponsored by Senator DUTREMBLE of York and Representatives: DAVIS of Sangerville, EVANGELOS of Friendship, KUSIAK of Fairfield, MARKS of Pittston, SHAW of Standish, SHORT of Pittsfield, Senators: BURNS of Washington, HASKELL of Cumberland.

Committee on **STATE AND LOCAL GOVERNMENT** suggested.

On motion of Representative GRAHAM of North Yarmouth, **TABLED** pending **REFERENCE** and later today assigned.

TAXATION

Bill "An Act To Tax Political Action Committees"

(H.P. 566) (L.D. 815)

Sponsored by Representative HAYES of Buckfield.

Cosponsored by Representative: GOODE of Bangor, Senator: VALENTINO of York.

Bill "An Act To Reduce the Property Tax Burden and Improve the Circuitbreaker Program"

(H.P. 567) (L.D. 816)

Sponsored by Representative POWERS of Naples.

Cosponsored by Senator HASKELL of Cumberland and Representatives: GOODE of Bangor, McLEAN of Gorham, PEOPLES of Westbrook, THERIAULT of Madawaska, TURNER of Burlington, WERTS of Auburn, Senators: COLLINS of York, MAZUREK of Knox.

Bill "An Act To Make the Income Tax More Equitable for Citizens of the State"

(H.P. 585) (L.D. 834)

Sponsored by Representative HAYES of Buckfield.

Cosponsored by Representative CHENETTE of Saco, Senator SAVIELLO of Franklin.

TRANSPORTATION

Resolve, To Require That a Sign Directing Motorists To Gould Academy Be Placed on the Maine Turnpike

(H.P. 568) (L.D. 817)

Sponsored by Representative CROCKETT of Bethel.

Cosponsored by Senator PATRICK of Oxford.

Resolve, Directing the Department of Transportation and the Maine Turnpike Authority To Assess the Effects of Funding and Policy Decisions on the Maine Turnpike and I-295 between Portland and Augusta

(H.P. 569) (L.D. 818)

Sponsored by Representative BOLDUC of Auburn.

Resolve, To Equalize Tolls on Highways in the State

(H.P. 570) (L.D. 819)

Sponsored by Representative LAJOIE of Lewiston.

Cosponsored by Representatives: BRIGGS of Mexico, CAREY of Lewiston, GILBERT of Jay, LIBBY of Lewiston, TYLER of Windham, WERTS of Auburn.

Bill "An Act To Improve Organ Donation Awareness"

(H.P. 586) (L.D. 835)

Sponsored by Representative ROCHELO of Biddeford.

Cosponsored by Senator LANGLEY of Hancock and Representatives: ESPLING of New Gloucester, HERBIG of Belfast, SANBORN of Gorham, SIROCKI of Scarborough.

VETERANS AND LEGAL AFFAIRS

Bill "An Act To Increase Ethics and Transparency in Government Service"

(H.P. 610) (L.D. 859)

Sponsored by Representative RUSSELL of Portland.

Cosponsored by Representative: STUCKEY of Portland.

Bill "An Act To Require That the Governor, Senators and Members of the House of Representatives Be Elected by the Ranked-choice Voting Method"

(H.P. 611) (L.D. 860)

Sponsored by Representative RUSSELL of Portland.

Cosponsored by Senator SAVIELLO of Franklin and Representatives: BEAVERS of South Berwick, BECK of Waterville, BOLAND of Sanford, BRIGGS of Mexico, BROOKS of Winterport, CASAVANT of Biddeford, CASSIDY of Lubec, CHAPMAN of Brooksville, CHENETTE of Saco, CHIPMAN of Portland, COOPER of Yarmouth, DAUGHTRY of Brunswick, DICKERSON of Rockland, DORNEY of Norridgewock, FARNSWORTH of Portland, GATTINE of Westbrook, GIDEON of Freeport, GILBERT of Jay, GOODE of Bangor, GRAHAM of North Yarmouth, GRANT of Gardiner, HAMANN of South Portland, HUBBELL of Bar Harbor, KAENRATH of South Portland, KUSIAK of Fairfield, LAJOIE of Lewiston, LONGSTAFF of Waterville, MacDONALD of Boothbay, MASTRACCIO of Sanford, McLEAN of Gorham, MITCHELL of the Penobscot Nation, MONAGHAN-DERRIG of Cape Elizabeth, MOONEN of Portland, MORRISON of South Portland, NOON of Sanford, RANKIN of Hiram, RYKERSON of Kittery, SAUCIER of Presque Isle, SCHNECK of Bangor, SOCTOMAH of the Passamaquoddy Tribe, STUCKEY of Portland, TIPPING-SPITZ of Orono, VEROW of Brewer, VILLA of Harrison, WELSH of Rockport, Senators: HASKELL of Cumberland, JOHNSON of Lincoln, PATRICK of Oxford, VALENTINO of York, WOODBURY of Cumberland.

**Pursuant to Statute
Criminal Law Advisory Commission**

Representative DION for the **Criminal Law Advisory Commission** pursuant to the Maine Revised Statutes, Title 17-A, section 1354, subsection 2 asks leave to report that the accompanying Bill "An Act To Repeal a Specialized Form of the Generic Crime of Theft by Unauthorized Taking or Transfer"

(H.P. 614) (L.D. 887)

Be **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

**Pursuant to Statute
Department of Environmental Protection**

Representative WELSH for the **Department of Environmental Protection** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 2: Rules Concerning the Processing of Applications and Other Administrative Matters, a Major Substantive Rule of the Department of Environmental Protection (EMERGENCY)

(H.P. 612) (L.D. 861)

Be **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED**.

On motion of Representative WELSH of Rockport, **TABLED** pending **REFERENCE**.

**Pursuant to Statute
Maine Health Data Organization**

Representative FARNSWORTH for the **Maine Health Data Organization** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 270: Uniform Reporting System for Quality Data Sets, a Major Substantive Rule of the Maine Health Data Organization (EMERGENCY)

(H.P. 613) (L.D. 886)

Be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

**REPORTS OF COMMITTEE
Divided Report**

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought Not to Pass** on Bill "An Act To Require Motorists To Stop for Pedestrians in Crosswalks" (EMERGENCY)
(H.P. 21) (L.D. 17)

Signed:

Senators:

MAZUREK of Knox
COLLINS of York
VALENTINO of York

Representatives:

THERIAULT of Madawaska
GILLWAY of Searsport
NUTTING of Oakland
PARRY of Arundel
POWERS of Naples
TURNER of Burlington
VEROW of Brewer
WERTS of Auburn

Minority Report of the same Committee reporting **Ought to Pass** on same Bill.

Signed:

Representatives:

McLEAN of Gorham
PEOPLES of Westbrook

READ.

On motion of Representative THERIAULT of Madawaska, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

**CONSENT CALENDAR
First Day**

In accordance with House Rule 519, the following items appeared on the Consent Calendar for the First Day:

(S.P. 12) (L.D. 20) Bill "An Act To Fully Fund the Homemaker Services Program" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass**

(H.P. 199) (L.D. 290) Bill "An Act To Eliminate the Forest Certification Incentive Cost-share Fund" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass**

(H.P. 274) (L.D. 399) Bill "An Act To Change the Name of the Department of Audit" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass**

There being no objections, the above items were ordered to appear on the Consent Calendar tomorrow under the listing of Second Day.

**CONSENT CALENDAR
Second Day**

In accordance with House Rule 519, the following item appeared on the Consent Calendar for the Second Day:

(H.P. 44) (L.D. 49) Bill "An Act To Amend the Laws Governing Payment of Fees to Registers of Deeds"

No objections having been noted at the end of the Second Legislative Day, the House Paper was **PASSED TO BE ENGROSSED** and sent for concurrence.

ENACTORS
Emergency Measure

Resolve, Regarding Legislative Review of Portions of Chapter 252: Rules Governing Certification of Seed Potatoes in the State of Maine, a Major Substantive Rule of the Department of Agriculture, Conservation and Forestry

(H.P. 4) (L.D. 2)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 145 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Acts

An Act To Authorize the Commissioner of Inland Fisheries and Wildlife To Change a Fishing Season Opening Date Statewide

(H.P. 24) (L.D. 26)

An Act To Provide Support Services to Adults with Intellectual Disabilities or Autistic Disorder

(S.P. 18) (L.D. 29)

An Act To Provide Home and Community Services for Individuals with Intellectual Disabilities or Autism

(S.P. 19) (L.D. 30)

An Act To Expand the Types of Vaccines That May Be Administered by Pharmacists

(S.P. 21) (L.D. 32)

An Act To Correct an Inconsistency in Maine's Apprenticeship Laws

(H.P. 85) (L.D. 103)

An Act To Make Changes to the Educators for Maine Program

(H.P. 94) (L.D. 112)

An Act To Make Changes to the Maine College Savings Program

(H.P. 95) (L.D. 113)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

The following items were taken up out of order by unanimous consent:

SENATE PAPERS

Bill "An Act To Authorize a General Fund Bond Issue To Reduce the Cost of Shipping for Maine Businesses, Attract Tourists and Facilitate the Development of Commuter Rail Transportation"

(S.P. 299) (L.D. 874)

Came from the Senate, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

REFERRED to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in concurrence.

Bill "An Act To Establish Positive Reentry Parole"

(S.P. 298) (L.D. 873)

Bill "An Act Regarding the Sexual Assault Forensic Examiner Advisory Board"

(S.P. 308) (L.D. 883)

Came from the Senate, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

REFERRED to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** in concurrence.

Bill "An Act To Assist York County Community College"

(S.P. 287) (L.D. 862)

Bill "An Act To Expand Funding for Early Childhood Education"

(S.P. 293) (L.D. 868)

Bill "An Act To Change the Process for Student Transfers from an Alternative Organizational Structure"

(S.P. 305) (L.D. 880)

Came from the Senate, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** in concurrence.

Resolve, To Reduce Greenhouse Gases and Consumer Energy Costs

(S.P. 288) (L.D. 863)

Resolve, To Establish a Working Group To Study Issues Relating to Broadband Infrastructure Deployment

(S.P. 301) (L.D. 876)

Bill "An Act To Remove Obsolete Provisions of the Electric Industry Restructuring Laws"

(S.P. 310) (L.D. 885)

Came from the Senate, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.

REFERRED to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** in concurrence.

Bill "An Act To Establish the Geospatial Data Reserve Fund"

(S.P. 302) (L.D. 877)

Came from the Senate, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed.

REFERRED to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** in concurrence.

Bill "An Act To Improve the Unused Pharmaceutical Disposal Program"

(S.P. 306) (L.D. 881)

Bill "An Act To Amend the Laws Governing Confidentiality of Health Care Information To Enhance Public Safety"

(S.P. 307) (L.D. 882)

Came from the Senate, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** in concurrence.

Bill "An Act To Increase State Wildlife Revenues and Grow the Hunting and Fishing Industries"

(S.P. 304) (L.D. 879)

Came from the Senate, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

REFERRED to the Committee on **INLAND FISHERIES AND WILDLIFE** in concurrence.

Bill "An Act Regarding Service of Small Claims Notices"

(S.P. 289) (L.D. 864)

Bill "An Act To Relax Divorce Requirements for Victims of Domestic Violence"

(S.P. 294) (L.D. 869)

Bill "An Act To Protect Victims of Domestic Violence by Waiving Their Filing Fees in Divorce Actions"

(S.P. 296) (L.D. 871)

Bill "An Act To Improve the Quality of Guardian ad Litem Services for the Children and Families of Maine"

(S.P. 297) (L.D. 872)

Bill "An Act To Improve Death Investigations"

(S.P. 309) (L.D. 884)

Came from the Senate, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

REFERRED to the Committee on **JUDICIARY** in concurrence.

Bill "An Act To Streamline, Amend and Clarify Certain Professional and Occupational Licensing Statutes"

(S.P. 292) (L.D. 867)

Bill "An Act To Buy American-made Products"

(S.P. 311) (L.D. 890)

Came from the Senate, **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

REFERRED to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** in concurrence.

Bill "An Act To Provide a Preference for Maine Bidders on State Contracts"

(S.P. 303) (L.D. 878)

Came from the Senate, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT** in concurrence.

Bill "An Act To Create an Income Tax Credit for Educational Supplies Purchased by Public School Employees"

(S.P. 291) (L.D. 866)

Came from the Senate, **REFERRED** to the Committee on **TAXATION** and ordered printed.

REFERRED to the Committee on **TAXATION** in concurrence.

Resolve, Regarding a Study by the Department of Transportation of the Most Efficient Options for Improving East-west Transit and Transportation

(S.P. 295) (L.D. 870)

Resolve, Directing the Department of Transportation and the Maine Turnpike Authority To Conduct a Study of Possible Connector Roads in Androscoggin and Franklin Counties

(S.P. 300) (L.D. 875)

Came from the Senate, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed.

REFERRED to the Committee on **TRANSPORTATION** in concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

On motion of Representative KNIGHT of Livermore Falls, the House adjourned at 11:06 a.m., until 10:00 a.m., Thursday, March 7, 2013.